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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,691	12/22/2000	Thomas J. Moran	476-1973	9946
23644	7590	11/17/2004	EXAMINER	
BARNES & THORNBURG P.O. BOX 2786 CHICAGO, IL 60690-2786			ALAM, UZMA	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<p style="text-align: center;"><b>Office Action Summary</b></p>	<p><b>Application No.</b></p> <p>09/747,691</p>	<p><b>Applicant(s)</b></p> <p>MORAN ET AL.</p>	
	<p><b>Examiner</b></p> <p>Uzma Alam</p>	<p><b>Art Unit</b></p> <p>2157</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/10/04.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)*            | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

This action is responsive to the amendment filed on 8/10/2004. Claims 1-23 are pending. Claims 1-23 represent a method and apparatus for providing a web page for a member of a call.

#### ***Response to Arguments***

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11, 13, 14, 16-18, 22, and 23 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Khouri et al. US Patent No. 6,678,718. Khouri discloses the invention substantially as claimed including establishing connection between an agent and a user (see abstract).

As per claims 1, 13, 17, 22, and 23, Khouri discloses a method, apparatus, computer program, telephone terminal, and website of providing a web page to a member of a call, comprising the steps of:

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(i) accessing a plurality of web pages; each of the web pages being associated with pre-specified information about potential calls (accessing web pages online; column 1, line 41-57; column 3, lines 17-31; column 5, lines 30-65; column 6, lines 1-10, 44-65);

(ii) selecting one of the web pages using information about the call and providing and displaying the selected web page to the call member (the agent and client connected on the phone and directly on the Internet, viewing the same web pages; column 3, lines 17-31; column 5, lines 56-65; column 6, lines 1-10, 44-65; column 7, lines 1-36).

As per claim 2, Khouri discloses a method as claimed in claim 1 wherein the web pages are provided on behalf of a second call member to a call member (the client or the agent provide web pages to each other; column 3, lines 17-31; column 6, lines 1-24).

As per claim 3, Khouri discloses a method as claimed in claim 1 wherein said step of accessing a plurality of web pages occurs on initiation or receipt of a call by the call member (when the call is initiated, a web page is accessed; column 3, lines 1-16).

As per claim 4, Khouri discloses a method as claimed in claim 1 wherein said step of providing access to a plurality of web pages comprises accessing a pre-defined web server on which the web pages are stored (accessing information about the customer; column 5, lines 44-55).

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As per claim 5, Khouri discloses a method as claimed in claim 4 wherein the pre-defined web server is accessed by setting up a data call from the first call member to the web server (a client accesses a server for a specific merchant; column 5, lines 44-55).

As per claim 6, Khouri discloses a method as claimed in claim 2 wherein each of the call members comprises a terminal connected to a communications network over which the call is established (the user and agent utilize terminals; column 3, lines 61-6; column 4, lines 1-16; column 5, line 30-43).

As per claim 7, Khouri discloses a method as claimed in claim 6 wherein each of said terminals comprise a web-browser suitable for displaying a web page on the terminal (column 3, lines 1-28; column 4, lines 7-29).

As per claim 8, Khouri discloses a method as claimed in claim 6 wherein web pages are stored on each of the terminals (downloading the web pages; column 6, lines 31-50).

As per claim 9, Khouri discloses a method as claimed in claim 2 which further comprises storing a second plurality of web pages which are to be provided on behalf of the first call member (agent storing web pages sent by the client; column 6, lines 11-49).

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As per claim 10, Khouri discloses a method as claimed in claim 1 wherein said pre-specified information about potential calls comprises information about one or more potential call members (client sends agent information; column 6, lines 1-10).

As per claim 11, Khouri discloses a method as claimed in claim 10 wherein said information about one or more potential call members comprises directory numbers (column 6, lines 51-65).

As per claim 12, Khouri discloses a method as claimed in claim 1 wherein said pre-specified information about potential calls comprises time of day information (column 5, lines 10-29).

As per claim 14, Khouri discloses an apparatus as claimed in claim 13 which is a web server (column 5, lines 30-43).

As per claim 16, Khouri discloses a communications network comprising an apparatus as claimed in claim 13 (column 3, lines 1-16).

As per claim 18, Khouri discloses a computer program as claimed in claim 17 which is stored on a computer readable medium (column 7, lines 8-47).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Khouri et al. US Patent No. 6,678,718 in view of Foldare et al. US Patent No. 5,907,547. Foldare discloses the invention as claimed including establishing Internet communication links associated with calls between customers and agents (see abstract).

As per claim 15, Khouri discloses an apparatus as claimed in claim 13. Khouri does not disclose wherein said input arranged to access a plurality of web pages is arranged to send java servlets to one or more backend databases where the web pages are stored. Foldare discloses an input arranged to access a plurality of web pages is arranged to send java servlets to one or more backend databases where the web pages are stored (column 6, lines 51-65). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine accessing web pages of Khouri with sending java servlets of Foldare. A person of ordinary skill in the art would have been motivated to do this to increase the capabilities of the client.

Claims 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khouri US Patent No. 6,678,718 in view of DeBoor US Patent No. 6,675,204. DeBoor discloses the invention substantially as claimed including a wireless communication device providing user interface for telecommunication functions.

As per claim 19, Khori discloses a method of displaying a web page at a telephone terminal, said telephone terminal comprising a web browser arranged to display web pages on the terminal, said method comprising the steps of:

(i) on initiation or receipt of a telephone call by the telephone terminal, establishing communication with a source that has access to a plurality of web pages, each of the web pages being associated with information about potential calls (accessing a online catalog; column 2, lines 65-67; column 3, lines 1-28, 4-67; column 4, lines 1-7; column 6, lines 9-27); ;

(i) receiving a web page from the source, said web page having been selected using information about the call (the agent and client connected on the phone and directly on the Internet, viewing the same web pages; column 2, lines 10-17; column 3, lines 31-67; column 6, lines 9-29; column 8, lines 19-34).

Khouri does not expressly disclose displaying the selected web page on the mobile telephone terminal. DeBoor discloses displaying the selected web page on a mobile phone at the same time as using the call function on the phone. See column 1, lines 20-34; column 8, lines 40-67; column 9, lines 34-49. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the telephone terminal of Khouri with the mobile telephone of Deboor. A person of ordinary skill in the art would have been motivated to do this



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because wireless devices are becoming increasingly prevalent for personal communication needs (column 1, lines 22-23).

As per claim 20, Khouri and DeBoor disclose a method as claimed in claim 19 where communication is established with the source by sending a command to a pre-defined web server address (column 4, lines 29-39).

As per claim 21, Khouri and DeBoor disclose a method as claimed in claim 19 which further comprises sending information about the telephone terminal to the source (column 4, lines 41-54).

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Roberts U.S. Patent No. 6,295,551 discloses a call center system allowing an agent and user to jointly browse the Internet.

Byford U.S. Patent No. 6,219,709 discloses system receiving a call from a user.

Mastrianni et al. U.S. Patent No. 6,615,276 discloses software facility for administering connectivity for a portable device.

Scherpbier U.S. Patent No. 6,263,365 discloses controlling the Web browser of another user.

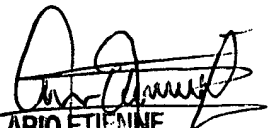
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 11:30am-8pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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